in public estimation a very respectable set of people. A noteworthy evidence of this change and growth in public sentiment was the admirable way in which the press of Chicago treated the Congress. The reports were fair and full and almost without exception, kindly. Few of the congresses held by the Congress Auxiliary have received as much sympathetic attention from the Chicago papers as the Peace Congress. The same is true in considerable measure of the press of the country.

While, on account of the existing financial pressure and the great attractiveness of the Exposition for those in Chicago, the Congress was not as largely attended as we had hoped it would be, yet, on the whole, it was eminently successful and its good results will be many and lasting. It marks a new and important stage in the progress of the peace movement that such a congress should have been held under the ægis of the great Columbian Exposition, which in itself is a peace congress of vast proportions, whose beneficent influence will be immeasurable.

THE DECISION OF THE BEHRING SEA TRIBUNAL.

The decision of the Behring Sea Tribunal was announced on the 15th of August. Technically it is against the United States, that is, the five points of article six containing the claims put forward by our government are decided in favor of the contention of Great Britain. Briefly summed up, the decision on these five points is that; (*a*) Russia had no exclusive jurisdiction in Behring Sea beyond the ordinary three-mile limit; (*b*) that England never conceded to Russia any exclusive jurisdiction over the seal fisheries in Behring Sea outside of the ordinary territorial waters; (*c*) that the body of water now known as Behring Sea was included in the term "Pacific Ocean," as used in the treaty of 1825 between Russia and Great Britain; (*d*) that all the rights of Russia passed to the United States by the treaty of 1824; (*e*) that the United States has no right to the protection of or property in the seals frequenting the Pribyloff islands when outside of the ordinary three-mile limit.

The decision on these points has not greatly surprised the people of the United States. Many of our best and most patriotic citizens have long felt that our claim to an exclusive property right in the seals when beyond our territorial waters was wholly without warrant. This point of international law seems, therefore, to have been finally and entirely settled by this decision. It is worthy of remark, however, that Justice Harlan and Senator Morgan both dissented on this point, and therefore declined to have their names connected with the regulations concerning the seal fisheries proposed by the majority of the abitrators.

These regulations, provided for in the treaty in case a property right of the United States should be denied, are as follows: 1. there shall be no pelagic sealing in either Behring Sea or the North Pacific from May 1st to August 1st. 2. A protected zone is established extending sixty miles around the Pribyloff islands, within which there shall be no pelagic sealing. 3. Only sailing vessels are allowed to take part in pelagic sealing. 4. Such sailing vessels must have a special license. 5. A careful record must be kept of the number and sex of the seals taken. 6. The use of nets, firearms and explosives is forbidden. 7. Only experienced men may be employed in sealing.

These regulations have made the decision satisfactory to the United States, because they practically put an end to pelagic sealing on the part of Canada and thus to the destruction of the seal by the Canadian sealers. In England and Canada it is thought that pelagic sealing can not be carried on under these restrictions, and so in these countries the impression is strong that the United States, while technically defeated, has practically got all that she asked and that England has got the worst of it.

If these regulations are to stand, another interesting point of international law will seem to have been suggested, viz., that a nation having a valuable shore industry, though it has no exclusive property right beyond the three-mile limit, does have a joint property right with other nations beyond this limit, and therefore has a right to ask all nations engaging in the industry to agree in establishing such regulations of it as will best preserve and promote it. If this position be true, the United States and England have a right to ask that the other nations whose sealing ships may enter Behring Sea shall observe these regulations or join with them in making others which shall be satisfactory to all. If it be not true, the regulations imposed by the arbitrators on the United States and England, even though made by their own treaty agreement, would seem to have no basis whatever, and to be contradictory to the decision of the Tribunal as to a property right in the seal herd in the open sea. These regulations will leave the seals at the mercy of other nations, whose ships can go in at all times of the year, while the United States and England, having tied their own hands, must stand helplessly by and see the industry ruined. We hope that this decision and the accompanying regulations may lead the nations to a clearer idea that not only is it their privilege but their bounden duty to co-operate in mutual helpfulness, in all that wide realm which belongs to the world in common and in which all have their proper right.

Baron de Courcel, on delivering copies of the decision to the agents of both countries, said that he recognized the great value of arbitration as a cause of peace between nations. He expressed the opinion that every international arbitration renders war less probable, and said he looked forward to the time in the near future when it

would be the rule and not the exception to settle international differences in this way. Multitudes of people in all civilized countries will join the Baron in this opinion. In fact, the day of mutual international destructiveness is rapidly closing, and that of reciprocal constructiveness and conservation has already dawned. This Behring Sea arbitration not only will give this new principle a great impulse forward, but is itself the most conspicuous recent example of the power which it has already acquired in the thought, feeling and practice of modern civilization. A few more such triumphs will dismount all the big guns and leave the most costly warships to rot in their docks.

DECISION OF THE BEHRING SEA TRIBUNAL.

After a preamble stating the case submitted for decision, the full text of the award runs as follows:

We decide and determine as to the five points mentioned in Article 6, as to which our award is to embrace a distinct decision upon each of them.

As to the first of said five points, we, Baron de Courcel, John M. Harlan, Lord Hannen, Sir John S. D. Thompson, Marquis Emilio Visconti-Venosta and Gregero W. W. Gram, being a majority of said arbitrators, do decide as follows:

By the ukase of 1821 Russia claimed jurisdiction in the sea known as Behring sea to the extent of 100 Italian miles from the coasts and islands belonging to her, but in the course of the negotiations which led to the conclusion of the treaty of 1824 with the United States and the treaty of 1825 with Great Britain Russia admitted that her jurisdiction in said sea should be restricted so as to reach a cannon shot from shore.

It appears that, from that time up to the time of the cession of Alaska to the United States, Russia never asserted in fact or exercised any exclusive jurisdiction in Behring sea or any exclusive rights to the seal fisheries therein beyond the ordinary limit of territorial waters.

As to the second of the five points, we decide and determine that Great Britain did not recognize or concede any claim upon the part of Russia to exclusive jurisdiction as to the seal fisheries in Behring sea outside the ordinary territorial waters.

As to the third point, as to so much thereof as requires us to decide whether the body of water now known as Behring sea was included in the phrase "Pacific ocean" as used in the treaty of 1825 between Great Britain and Russia, we unanimously decide and determine that the body of water now known as Behring sea was included in the phrase "Pacific ocean," as used in said treaty.

On the fourth point we decide and determine that all the rights of Russia to jurisdiction and to the seal fisheries passed to the United States limited by the cession.

On the fifth point, we, Baron de Courcel, Lord Hannen, Sir John S. D. Thompson, Marquis Emilio Visconti-Venosta and Gregero W. W. Gram, being the majority of said arbitrators, decide that the United States has no right to the protection of or property in the seals frequenting the islands of the United Sates in Behring sea when the same are found outside the ordinary three-mile limit. And, whereas, the aforesaid determination of the foregoing questions as to the exclusive jurisdiction leaves the subject in such a position that the concurrence of Great Britain is necessary to the establishment of regulations for the proper protection and preservation of fur seals habitually resorting to Behring sea, we, Baron de Courcel, Lord Hannen, Marquis Emilio Visconti-Venosta and Gregero W. W. Gram, being a majority of the arbitrators, assent to the following regulations as necessary outside of the jurisdiction limits of the respective governments, and that they should extend over the waters hereinafter mentioned.

ARTICLE 1. The United States and Great Britain shall forbid their citizens and subjects, respectively, to kill, capture or pursue at any time or in any manner whatever the animals called fur seals within a zone of 60 miles around the Pribyloff islands, inclusive of the territorial waters, the miles being geographical miles, 60 to a degree of latitude.

ART. 2. The two governments shall forbid their citizens or subjects to kill, capture or pursue in any manner whatever, during a season extending in each year from May 1 to July 31, inclusive, fur seals on the high sea in that part of the Pacific ocean inclusive of Behring sea, situated north of the 35th degree of north latitude or eastward of the 180th degree of longitude from Greenwich until it strikes the water boundary described in Art. 1 of the treaty of 1867, between the United States and Russia, following that line up to Behring straits.

ART. 3. During the period of time in the waters in which fur sealing is allowed only sailing vessels shall be permitted to carry on or take part in fur sealing operations. They will, however, be at liberty to avail themselves of the use of such canoes or undecked boats propelled by paddles, oars or sails, as are in common use as fishing boats.

ART. 4. Each sailing vessel authorized to carry on fur sealing must be provided with a special license, issued for the purpose by its government. Each vessel so employed shall be required to carry a distinguishing flag prescribed by its government.

ART. 5. The master of vessels engaged in fur sealing shall enter accurately in an official log book the date and place of each operation, the number and the sex of the seals captured daily. These entries shall be communicated by each of the two governments to each other at the end of each season.

ART. 6. The use of nets, firearms or explosives is forbidden in fur sealing. This restriction shall not apply to shotguns when such are used in fishing outside of Behring sea during the season when such may lawfully be carried on.

ART. 7. The two governments shall take measures to control the fitness of the men authorized to engage in sealing. These men shall have been proved fit to handle with sufficient skill the weapons by means of which seal fishing is carried on.

ART. 8. The preceding regulations shall not apply to Indians dwelling on the coast of the territories of the United States or Great Britain carrying on fur sealing in canoes or undecked boats not transported by or used in connection with other vessels and propelled wholly by paddles, oars or sails, and manned by not more than five persons, in the way hitherto practised by the Indians, provided that such Indians are not employed by other